

DATE

Ricky White  
181 JT Griggs Road  
Calhoun, Louisiana 71225

Re: **Louisiana Board of Ethics**  
**Docket No. 2021-177**

Dear Mr. White,

The Louisiana Board of Ethics, at its meeting on June 4, 2021, considered your request for an advisory opinion as to whether the Code of Governmental Ethics ("Code") would prohibit you from working as a driving instructor following your retirement from the La. Office of Motor Vehicles.

#### **FACTS PROVIDED**

You were previously employed as a Motor Vehicle Office Manager A, with the La. Office of Motor Vehicles ("OMV") in West Monroe for over twenty years. You retired on December 31, 2020. You reported to a Regional Manager and a Field Administrator, who handled the supervision of the office. Among other duties, you provided compliance analyst services regarding driver's licenses, vehicle registrations, and reinstatements of suspensions/revocations of driving privileges.

You intend to work as a road test instructor for the West Monroe Driving Academy, where you will ride with students during their driving lessons. You will not administer the driving test on behalf of OMV. While you were employed with OMV, you did not provide any services with relation to driving instructions or exams.

You also ask whether you may be employed by a Tag Title & License company that issues driver's licenses and vehicle registrations, as well as offers reinstatement services.

#### **LAW**

La. R.S. 42:1121B(1) provides that no former public employee shall, for a period of two years following termination of his public employment, assist another person, for compensation, in a transaction, or in an appearance in connection with a transaction in which such former public employee participated at any time during his public employment and involving the governmental entity by which he was formerly employed, or for a period of two years following termination of his public employment, render, any service which such former public employee had rendered to the agency during the term of his public

employment on a contractual basis, regardless of the parties to the contract, to for, or on behalf of the agency with which he was formerly employed.

### **CONCLUSION**

The Board concluded, and instructed me to inform you, that Section 1121B(1) would not prohibit you from being employed by West Monroe Driving Academy as a driving instructor, since you did not participate in driving instructions while employed by OMV, and you will not be providing the same services on behalf of OMV through the driving academy.

The Board further concluded, and instructed me to inform you, that Section 1121B(1) would prohibit you, for a period of two years following your retirement, from being employed by a Tag Title & License company to provide driver's licenses, vehicle registrations, and reinstatement services, since you would be rendering the same services on behalf of OMV through a contractual relationship between the Tag Title & License company and OMV.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Governmental Ethics. Please note that the Board issues no opinion as to past conduct and that the Board's expressed opinion is limited to an examination of the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Acts, and the conflict of interest provisions in the gaming laws.

If you have any questions, please contact me at (800)842-6630 or (225)219-5600.

Sincerely,

**LOUISIANA BOARD OF ETHICS**

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David M. Bordelon  
For the Board